

CITI0063

PATENT

AF/2164

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the U.S. Application of

Steve MURPHY

Group Art Unit: 2164

U.S. Serial No. 09/131,412

Examiner: Weisberger, R.

Filed: August 10, 1998

For: METHOD AND APPARATUS FOR AUTOMATED BILL PAYMENT

TRANSMITTAL OF APPEAL BRIEF

Box AF

Commissioner of Patents  
Washington, D.C. 20231

Sir:

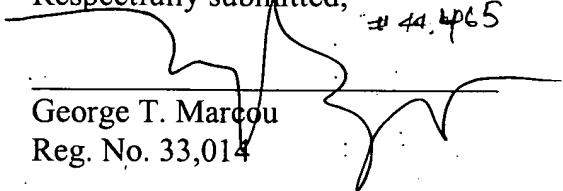
Attached herewith is an Appeal Brief submitted under 37 C.F.R. § 1.192 in connection with the decisions of the Examiner in a Final Office Action on May 22, 2001 and an Advisory Action mailed on January 2, 2002, together with a Petition for One-Month Extension to File and corresponding fees of \$320.00 under 37 C.F.R. §§ 1.17(c) and 1.17(a)(1).

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account 501458. A duplicate copy of this letter is enclosed for that purpose.

Dated: 1/22/02

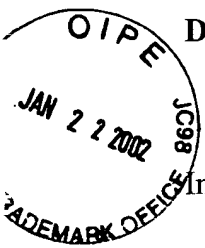
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Docket No. CITI0063

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the U.S. Application of

Steve MURPHY

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APPEAL BRIEF

**Box AF**

Commissioner of Patents  
Washington, D.C. 20231

Sir:

This is an Appeal Brief under 37 C.F.R. § 1.192 in connection with the decisions of the Examiner in a Final Office Action mailed on May 22, 2001 and an Advisory Action mailed on January 2, 2002. Each of the topics required by Rule 192 is presented herewith and is labeled appropriately.

**(1) Real Party In Interest**

The real party in interest is Citibank, N.A.

**(2) Related Appeals And Interferences**

There are no other appeals or interferences related to this case.

**(3) Status Of Claims**

Claims 1-29 are pending and rejected. Claims 1-29 are hereby appealed.

**(4) Status of Amendments**

There are no outstanding amendments.

**(5) Summary Of The Invention**

The present invention is directed to automated payment systems that are responsive to on-line commands from a subscriber for providing automated payment to named third party payees from the subscriber's account. Page 1, ll. 2-4. According to the invention, a subscriber's financial accounts held by the financial institution are stored under management of a programmed computer in a centralized electronic database which is accessible to the subscriber, the programmed computer responding to subscriber commanded transfers of account funds to identified payees, and transferring such funds subject only to fiscal certification standards of the financial institution. Such fiscal certification requires that the subscriber maintain a current credit line with the institution sufficient to cover the transferred amount. The system can permit payments to be made from the subscriber's credit card or from any demand deposit account (DDA) of the subscriber. Page 2, ll. 15-26. It also provides for scheduled foreground payments to occur immediately or up to one year in the future. Page 3, ll. 5-7. The subscriber can access the database through a secure communications interface, such as encrypted communication over the public telephone

switching network or the Internet. Additionally, all subscriber commanded transactions can be recorded in a fraud early warning database and analyzed to detect the existence of trend of fraudulent transactions. Page 2, line 27 to Page 3, line 2.

**(6) Issues**

- a) Whether the Examiner's rejection of claims 1-7, 17, and 18 under 35 U.S.C. 103(a) as being unpatentable over Lawlor et al. (U.S. Pat. No. 5,220,501) is proper.
- b) Whether the Examiner's rejection of claims 1, 8-14, 19, 20, and 23-29 under 35 U.S.C. § 103 as being anticipated by Kolling et al. (U.S. Pat. No. 5,920,847) is proper.
- c) Whether the Examiner's rejection of claims 1, 15, and 16 under 35 U.S.C. § 103(a) as being unpatentable over Anderson (U.S. Pat. No. 5,283,829) is proper.
- d) Whether the Examiner's rejection of claim 21 under 35 U.S.C. 103(a) as being unpatentable over Kolling et al. in view of Anderson is proper.

**(7) Grouping of Claims**

Claims 1-29 are arranged into 3 groups, wherein the claim(s) in each group stand or fall together for purposes of this appeal.

GROUP	CLAIMS
I	1-7, 17, and 18
II	1, 8-14, 19-29
III	1, 15 and 16

**(8) Argument****The Rejection of Claims 1-7, 17, and 18 Under 35. U.S.C. § 103(a) as unpatentable over Lawlor et al. (5,220,501) is Not Proper**

The rejection of independent claim 1 under 35 USC §103(a) as being unpatentable by Lawlor et al. is improper. In order for a claim to be unpatentable over a single reference, that reference must recite each and every limitation within the claim. Rejections based on a single reference fall under the various subparts (a)-(g) of 35 USC §102, not 35 USC §103(a). Rejections under 35 USC §103(a) are utilized when the Examiner is able to establish a *prima facie* case of obviousness. If a claim is not anticipated by a single reference under 35 USC §102, it may be obvious under two or more references under 35 USC §103(a). A single reference cannot in and of itself support a *prima facie* case of obviousness. There must be a combination of two or more references or, in rare instances, the taking of Official Notice by the Examiner in combination with a single primary reference may suffice to establish a presumption of obviousness, but this is a rebuttable presumption. MPEP § 2144.03. The Applicant may seasonably challenge the taking of Official Notice at which time the Examiner is obliged to provide at least one secondary reference to support the taking of Official Notice. MPEP § 2144.03.

In this case, the Examiner has failed to establish a *prima facie* case of unpatentability. In re Fine, 837 F.2d 1071, 1074, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988). The Examiner has applied a single reference, Lawlor et al., under 35 USC §103(a) in the Final Office Action dated 5/22/01. Because this reference fails to disclose each and every limitation of

independent claim 1, the Examiner is required to provide at least a second reference showing those limitations not found in the primary reference and to provide a motivation to combine the primary and the at least one secondary reference. Assuming, *arguendo*, that the statements made by the Examiner in the rejection are sufficient to support a taking of Official Notice, the records show that the undersigned has seasonably challenged the taking of Official Notice and requested that the Examiner provide a reference to support this taking as required by MPEP § 2144.03. See Request for Reconsideration after Final Rejection dated 9/24/01, pg. 2, first paragraph. Once again, the undersigned hereby challenges the taking of Official Notice and request that the Examiner provide a reference to support this taking as required by MPEP § 2144.03.

Because the Examiner has misapplied the cited reference and has failed to establish a *prima facie* case of unpatentability, the undersigned is not required to rebut the Examiner's rejection. Nevertheless, the undersigned reiterates the arguments from the undersigned's response dated 12/14/00. Specifically, Lawlor et al. do not disclose or suggest the financial controls recited in claim 1. In particular, there is no description in Lawlor et al. supporting the requirement for the existence of an identified subscriber credit account associated with the subscriber identified proprietary account. This requirement is the financial control and this financial control is supported by the passages in the specification cited in the undersigned's response dated 12/14/00, namely pg. 2, ll. 19-24, pg. 5, ll. 15-27, and pg. 11, ll. 21-29.

In the Final Office Action dated 5/22/01, the Examiner asserted that the above

arguments, which were stated in the undersigned's response dated 12/14/00, are not in compliance with 37 CFR 1.111(b). The undersigned fails to see how this is not in compliance with 37 CFR 1.111(b). The limitation is clearly stated in Claim 1, it is supported by the specification, and it is not found in Lawlor et al., as clearly pointed out in the undersigned response dated 12/14/00, pg. 8. Consequently, claim 1 is allowable over Lawlor et al.

Similarly, the rejection of claims 2-7, 17, and 18 under 35 USC §103(a) as being unpatentable over Lawlor et al. is improper. As claims 2-7, 17, and 18 are dependent from claim 1, the discussion above also applies to claims 2-7, 17, and 18. Further, the combinations of features recited in claims 2-7, 17, and 18 are not disclosed in or suggested by Lawlor et al.

Claims 1-7, 17, and 18 stand or fall together with regard to the rejection under 35 USC §103(a) in view of Lawlor et al. for purposes of this appeal. For the reasons stated above, it is respectfully requested that the Board recognize the deficiencies in the Examiner's rejection of the claims, reverse the Examiner's rejection, and allow claims 1-7, 17, and 18.

**The Rejection of Claims 1, 8-14, 19, 20 and 23-29 Under 35. U.S.C. § 103 as being anticipated by Kolling et al. (5,920,847) is Not Proper**

Because the Examiner does not apply the Kolling et al. reference in the Final Office Action dated 5/22/01, but merely states that, "the art fully anticipates the claimed invention," this is an improper rejection. As discussed above, art cited under 35 USC §103 does not

*anticipate* claims. Further, with no application of the reference to the claim limitations, the undersigned cannot respond to the citation. Nonetheless, the undersigned hereby addresses the Examiner's concerns with regard to the previous rejection of the claims under Kolling et al. in the Examiner's first Office Action dated 6/21/00. In response to the Examiner's preceding non-final rejection in the first Office Action dated 6/21/00, the undersigned supplied the declaration of the inventor, Mr. Steve Murphy, under 37 CFR §1.131 in order to swear behind the filing date of the Kolling et al. reference. See Amendment and Response to First Office Action dated 12/14/00. In the Final Office Action dated 5/21/01, the Examiner objects to the declaration as not being acknowledged by the inventor, assignee, or other eligible party of interest. On the contrary, the declaration was submitted by the only listed inventor, Mr. Murphy. Consequently, the undersigned fails to see how this objection is relevant. The declaration expressly states: "7. As the person signing below, I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-referenced application, or any patent issued thereon." This statement is followed by the inventor's signature and date of signature. See Amendment and Response to First Office Action, "Declaration of Steve Murphy Under 37 CFR §1.131(a)," dated 12/14/00, pg. 7. A second declaration was filed by the Applicant's representative, but this declaration is moot in view of Mr. Murphy's



declaration.

Pursuant to Mr. Murphy's declaration, the Kolling et al. reference does not qualify as prior art under §102(e) because the present invention was conceived in the United States prior to the filing date of such reference and due diligence was executed to reduce the invention to practice. The Examiner also specifically rejected the declaration as unsatisfactory to produce sufficient facts to meet the requirements of 37 C.F.R. 1.131. This objection is improper in light of the exhibits dated prior to Oct. 7, 1996. The records show that the submitted exhibits 1 and 2 from Mr. Murphy's declaration have the dates of June 7, 1996 and June 12, 1996, respectively. These documents refer to a list of invention issues arising out of an earlier conception of the invention, as well as to an established list of project managers for respective components of the conceived invention process. Further, the submitted exhibit 4 from Mr. Murphy's declaration provides a written description of the conceived invention as of November 8, 1996. Although this date is not before the date of the Kolling et al. reference, this document is further evidence to support a conception date prior to October 7, 1996 as well as to show due diligence in reducing the conception to practice. These dates and documents are in no way intended to mark the earliest date of conception for this invention, but are merely provided to show that the invention was conceived and was diligently being reduced to practice prior to the filing date of the Kolling et al. reference.

In the Advisory Action dated 1/2/02, the Examiner further asserted that the affidavit or exhibit will not be considered because it is not directed solely to issues which were newly raised by the Examiner in the final rejection, i.e., Final Office Action, dated 5/22/01. On the

contrary, the records show that the aforementioned issues regarding the declaration under 37 CFR §1.131 was first raised by the Examiner in the Final Office Action dated 5/22/01.

Those issues were promptly addressed by the undersigned in the Request for Reconsideration after Final Rejection dated 9/24/01, which includes a copy of exhibits 1 and 2 from Mr.

Murphy's declaration. Thus, the exhibits were directed solely to issues newly raised by the Examiner. Furthermore, exhibits 1 and 2 were previously submitted as part of Mr. Murphy's declaration in the Amendment and Response to First Office Action dated 12/14/00 and are thus already of record.

In recap, the declaration under 37 CFR §1.131 submitted with the amendment filed December 14, 2000 establishes that the present invention was conceived prior to October 7, 1996, the filing date of the Kolling et al. application. Thus, because Kolling et al. does not qualify as prior art under §102(e), the undersigned respectfully requests that the Patent Office withdraw the rejections of claims 1, 8-14, 19, 20, and 23-29.

Claims 1, 8-14, 19-29 stand or fall together with regard to the rejection under 35 USC §103 as being anticipated by Kolling et al. for purposes of this appeal. For the reasons stated above, it is respectfully requested that the Board recognize the deficiencies in the Examiner's rejection of the claims, reverse the Examiner's rejection, and allow claims 1, 8-14, 19, 20, and 23-29.

**The Rejection of Claims 1, 15, and 16 under 35 USC §103(a) as Being Unpatentable  
over Anderson (5,283,829) is Not Proper**

As discussed earlier, the Examiner has failed to establish a *prima facie* case of unpatentability. In the Final Office Action dated 5/22/01, the Examiner admits that Anderson does not meet all of the limitations of claims 1, 15, and 16 and thus cannot anticipate the claimed subject matter, but fails to provide a secondary reference to support the rejection. As with the rejection under Lawlor et al., assuming, *arguendo*, that the statements made by the Examiner in the rejection are sufficient to support a taking of Official Notice, the records show that the undersigned has seasonably challenged the taking of Official Notice and requested that the Examiner provide a reference to support this taking. See Request for Reconsideration after Final Rejection dated 9/24/01, pg. 5. Once again, the undersigned hereby challenges the taking of Official Notice and request that the Examiner provide a reference to support this taking as required by MPEP § 2144.03.

Because the Examiner has failed to establish a *prima facie* case of unpatentability, the undersigned respectfully requests that the Patent Office withdraw the rejection of claims 1, 15, and 16.

Claims 1, 15, and 16 stand or fall together with regard to the rejection under 35 USC §103(a) as being unpatentable over Anderson for purposes of this appeal. For the reasons stated above, it is respectfully requested that the Board recognize the deficiencies in the Examiner's rejection of the claims, reverse the Examiner's rejection, and allow claims 1, 15, and 16.

**The Rejection of Claim 21 under 35 USC §103(a) as Being Unpatentable over Kolling et al. in View of Anderson is Not Proper**

As discussed earlier, Kolling et al. does not qualify as prior art under §102(e) since the date of invention for the present application is prior to October 7, 1996, the filing date of the Kolling et al. reference. Thus, because the Kolling et al. reference does not qualify as prior art under §102(e) as discussed above, the rejection of claim 21 as being patentable over Kolling et al. in view of Anderson is improper.

In the Advisory Action dated 1/2/02, the Examiner asserted that the request for reconsideration [after final rejection dated 9/24/01] has been considered but does not place the application in condition for allowance because:

“the applicant failed to seasonably traverse the statements of the rejection of 6-21-00 in his [response] of 12-14-00, consequently, all statements made therein not fully traversed at that time are taken to be admitted prior art. In re Chevenard, 139 F.2d 71, 60 USPQ 239 (CCPA 1943). A seasonable challenge constitutes a demand for evidence made as soon as practicable during prosecution. Thus, applicant is charged with rebutting the well known statement in the next reply after the Office Action in which the well known statement was made.”

The records show that in the First Office Action dated 6/21/00, the Examiner appeared to have made only one well known statement, and that was with regard to the rejection of claim 21 under 35 USC §103(a) as being unpatentable over Kolling et al. in view of Anderson. See Office Action dated 6/21/00, pg. 12. The records also show that the undersigned not only rebutted the well known statement, but also the rejection as a whole

because the Kolling et al. reference does not qualify as a reference as discussed above. See Amendment and Response to First Office Action dated 12/14/00, pg. 11-12.

Claim 1, 8-14, 19-21, and 23-29 stand or fall together with regard to the rejection under 35 USC §103(a) as being unpatentable over Kolling et al. in view of Anderson for purposes of this appeal. For the reasons stated above, it is respectfully requested that the Board recognize the deficiencies in the Examiner's rejection of the claims, reverse the Examiner's rejection, and allow claims 1, 8-14, 19-21, and 23-29.

#### **Rejection of claim 22**

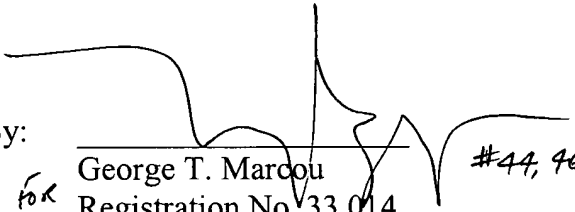
It is noted that claim 22 was not addressed in the DETAILED ACTION section of the Final Office Action dated 5/22/01. Therefore, it is assumed that claim 22 is allowable over the references of record. Otherwise, claims 1, 8-14, 19-29 stand or fall together, as discussed earlier, with regard to the rejection under 35 USC §103 as being anticipated by Kolling et al. for purposes of this appeal.

**Conclusion**

For at least the reasons given above, the rejections of claims 1-29 are improper. It is respectfully requested that such rejections by the Examiner be reversed and claims 1-29 be allowed. Attached below for the Board's convenience is an Appendix of claims 1-29 as currently pending.

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Respectfully submitted,

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**(9) Appendix**

1. Apparatus, responsive to subscriber commanded transaction signals received through a signal communications device, for transferring, under supervision of a subscriber service institution, a subscriber commanded amount of money from a subscriber identified proprietary account to a subscriber identified payee account, the apparatus comprising:

a signal processing center, having at least one program signal processing means, said program signal processing means including program memory means for storing program signals representative of an automated payment system process, said program signal processing means providing process control signals which, under direction of said program signals and in response to the subscriber commanded transaction signals, execute the commanded transaction subject to compliance with financial controls established by the subscriber service institution, said financial controls including a requirement for the existence of an identified subscriber credit account associated with the subscriber identified proprietary account;

signal interface means for exchanging signal communications between said signal processing center, the signal communications device, and between said signal processing center and the service institution; and

database means, having one or more memory means for storing data signals, including data signals indicative of the current balance of each subscriber proprietary account maintained by the subscriber service institution, data signals indicative of said financial controls, and data signals indicative of personal information of the subscriber, said database

means being responsive to said process control signals from said program signal processing means for altering the content of said data signals and, alternately, for reporting said data signals to said program signal processing means.

2. The apparatus of claim 1, wherein said process control signals provided by said program signal processing means, include:

text information signals, presented to the communications device to provide a transaction information display to the subscriber; and

financial information signals, presented to service institutions maintaining subscriber proprietary accounts and payee accounts as may be identified by the subscriber commanded transaction signals.

3. The apparatus of claim 2, further comprising:

communications software program listing, operatively installed in each communications device used by a subscriber in sending the commanded transaction signals to said signal processing center and in receiving said text information signals from said signal processing center, said program listing providing an interactive communication protocol between said signal processing center and the subscriber communications device.



4. The apparatus of claim 3, wherein said interactive communications protocol includes means for sending encrypted commanded transaction signals and for receiving encrypted text information signals.

5. The apparatus of claim 3, wherein said interface means receives the subscriber commanded transaction signals from the public telephone switching network (PTSN).

6. The apparatus of claim 3, wherein said interface means receives the subscriber commanded transaction signals from the internet.

7. The apparatus of claim 3, wherein said transaction information display is a stateful display.

8. The apparatus of claim 23, wherein said program signals include financial analysis program signals representing one or more algorithms executable by said program signal processing means for determining compliance of the subscriber commanded transaction signals with said financial controls.

9. The apparatus of claim 8, wherein said financial controls include a requirement for the existence of a present subscriber credit account with the subscriber service institution as an antecedent to the execution of a subscriber commanded transaction.

10. The apparatus of claim 9, wherein said financial controls further include, in combination with said present credit account, the requirements for an identified subscriber demand deposit account (DDA) with the subscriber service institution.

11. The apparatus of claim 10, wherein said financial controls further include, in the presence of a subscriber commanded transaction requiring a commanded amount of money to be transferred from an identified subscriber DDA maintained with a service institution other than the subscriber service institution, a requirement that said subscriber credit account have the present line of credit balance which is at least equal in value to the subscriber commanded amount of money to be transferred.

12. The apparatus of claim 10, wherein said financial controls further include, in response to an identified subscriber DDA, that, in response to a determination of non-sufficient funds (NSF) in such identified DDA, a requirement that said subscriber credit account have the present line of credit balance which is at least equal in value to the subscriber commanded amount of money to be transferred.

13. The apparatus of claim 11, wherein said financial controls further require, in response to a notice from said other service institution of non-sufficient funds (NSF) in such

identified DDA, a completion of the commanded transaction and the debiting of the commanded amount to the subscriber credit account.

14. The apparatus of claim 12, wherein said financial controls further require, in response to a determination of non-sufficient funds (NSF) in such identified DDA, a completion of the commanded transaction and the debiting of the commanded amount to the subscriber credit account.

15. The apparatus of claim 1, wherein:

said program signal processing means records each subscriber commanded transaction received by said signal processing center from each subscriber, in a personal history file of that subscriber, stored in said data base means; and

said program signals include fraud analysis program signals representative of one or more algorithms executable by said program signal processing means, each said algorithm applying a rules based analysis of each said personal history file to detect subscriber transaction activity suggestive of fraudulent conduct; said fraud analysis program signals providing, in the presence of a determination of fraudulent conduct, a suspension of further processing of that subscriber's commanded transactions.

16. The apparatus of claim 1, wherein said program signals include security analysis program signals representative of one or more algorithms executable by said program signal

processing means to limit user access to said signal processing center to approved subscribers, said security analysis program providing access to said signal processing center to each entrant providing user identification information corresponding to the identified subscriber's personal information stored in said data base means.

17. The apparatus of claim 1, wherein said program signal processor executes the subscriber commanded transaction by making payment through electronic funds transfer (EFT) to payees having the ability to receive EFT.

18. The apparatus of claim 1, wherein said program signal processor executes the subscriber commanded transaction by making payment through certified bank check to payees not having the ability to receive electronic funds transfer (EFT).

19. The method of having a subscriber service institution provide automated transfer of identified funds from a subscriber account to a payee account, comprising the steps of:

establishing a financial relationship between a subscriber and the subscriber service institution, which includes identification of financial accounts including at least a subscriber credit account;

storing information representative of the current balance of the subscriber credit account and any DDA the subscriber has with the subscriber service institution in an on-line

electronic database which is managed by a program signal processor under the control of the subscriber service institution;

granting the subscriber access to the on-line database and the program signal processor, subject to confirmation of subscriber identity through identification security measures established by the subscriber service institution;

receiving subscriber commanded transactions identifying the amount of funds to be transferred, the financial account to be debited for the transfer, and the payee; and

verifying a current account balance in the subscriber's financial account with the subscriber service institution to cover the identified amount to be transferred; and

transferring the identified amount to the identified payee.

20. The method of claim 26, wherein the step of verifying the current account balance includes the steps of:

determining, if the subscriber credit account has the present line of credit balance sufficient to cover the amount to be transferred and, if so, reserving that portion of the available balance as necessary to cover the transferred amount;

debiting the subscriber identified financial account for the transferred amount; and

executing the reserve against the credit balance of the subscriber credit account in response to a notice of non-sufficient funds (NSF) in the subscriber identified financial account.

21. The method of claim 19, wherein the step of granting includes the steps of:  
requiring the subscriber to enter a user identification and a personal identification number upon log-on to the on-line database;  
comparing the subscriber entered information with personal information of the subscriber which is of record with the subscriber service institution; and  
rejecting subscriber access to the database for a set period of time in response to a selected repeat number of incorrect entries by the subscriber.

22. The method of claim 19 in which the step of transferring includes the step of:  
executing an electronic funds transfer (EFT) of the commanded amount to identified payees capable of receiving EFT; and  
forwarding a certified check equal to the commanded amount to payees who are not capable of receiving EFT.

23. The apparatus of claim 1, wherein said financial controls further include a requirement for the existence of an identified subscriber demand deposit account (DDA) as an antecedent to the execution of a subscriber commanded transaction, wherein said identified subscriber credit account is selectively checked to verify a present line of credit balance is at least equal in value to the subscriber commanded amount to be transferred.

24. The apparatus of claim 23, wherein said financial controls further comprise, in the presence of a subscriber commanded transaction requiring a commanded amount of money to be transferred from an identified subscriber DDA , and further in the presence of the present line of credit balance of said subscriber credit account which is less than the subscriber commanded amount of money, a requirement of a payment probability system (PPS) review of a transaction history of the subscriber.

25. The apparatus of claim 24, wherein said financial controls further comprise a manual review of the subscriber commanded transaction and the transaction history if the payment probability system (PPS) review determines that there is not coverage for the subscriber commanded transaction.

26. The method of claim 19, wherein establishing a financial relationship between a subscriber and the subscriber service institution further includes the identification of financial accounts including one or more demand deposit accounts (DDAs) and selectively verifying a present line of credit balance in the subscriber credit account is at least equal in value to the subscriber commanded amount to be transferred to cover the subscriber commanded amount to be transferred.

27. The method of claim 26, wherein verifying the current account balance further includes, in the presence of a subscriber commanded transaction requiring a commanded

amount of money to be transferred from an identified subscriber DDA , and further in the presence of the present line of credit balance of said subscriber credit account which is less than the subscriber commanded amount of money, requiring a payment probability system (PPS) review of a transaction history of the subscriber.

28. The method of claim 27, wherein verifying the current account balance further includes requiring a manual review of the subscriber commanded transaction and the transaction history if the present probability system (PPS) review determines that there is not coverage for the subscriber commanded transaction.

29. The method of claim 26, wherein granting the subscriber access to the on-line database and the program signal processor further includes executing a fraud analysis program representative of one or more algorithms applying a rules based analysis of each personal history file to detect subscriber transaction activity suggestive of fraudulent conduct and, in the presence of a determination of fraudulent conduct, a suspension of further processing of that subscriber's commanded transactions.